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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/658,228	09/08/2003	Yun-Lung Chen		2697

25859 7590 12/09/2005
WEI TE CHUNG
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EXAMINER

TRAN, HANH VAN

ART UNIT PAPER NUMBER

3637

DATE MAILED: 12/09/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 10/658,228	Applicant(s) CHEN, YUN-LUNG	
	Examiner Hanh V. Tran	Art Unit 3637	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 08 September 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 08 September 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
- ☒ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>9/8/03</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. This is the First Office Action on the Merits from the examiner in charge of this application.

Priority

2. Receipt is acknowledged of papers submitted under 35 U.S.C. 119(a)-(d), which papers have been placed of record in the file.

Claim Rejections - 35 USC § 112

3. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

4. Claim 15 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Line 4, the limitation "the fixing hole" of the at least one post lacks antecedent basis, thus indefinite.

Claim Rejections - 35 USC § 102

5. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

6. Claims 1-3, 5-6, 8-11, 13-14, 16-20 are rejected under 35 U.S.C. 102(e) as being anticipated by USP 6,529,371 to Laio.

Laio discloses a mounting assembly comprising all the elements recited in the above listed claims including, such as shown in Figs 3-5, a chassis 14 comprising a front panel having a plurality of fixing slots (40,54), and mounting openings (37,51), each mounting opening having a large zone and a smaller zone communicating with each other; a bezel 100 comprising a plurality of hooks 104, a plurality of posts 102, at least one pivot means provided at the posts; wherein the pivot means is engaged/integrally formed with a distal end of the post, and comprises a head portion and a fixing portion engaged the post; the hook is resilient and forms a barb at a distal end thereof.

Claim Rejections - 35 USC § 103

7. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

8. The factual inquiries set forth in *Graham v. John Deere Co.*, 383 U.S. 1, 148 USPQ 459 (1966), that are applied for establishing a background for determining obviousness under 35 U.S.C. 103(a) are summarized as follows:

1. Determining the scope and contents of the prior art.
2. Ascertaining the differences between the prior art and the claims at issue.
3. Resolving the level of ordinary skill in the pertinent art.
4. Considering objective evidence present in the application indicating obviousness or nonobviousness.

9. Claims 7 and 15 are rejected under 35 U.S.C. 103(a) as being unpatentable over Laio in view of USP 5,660,297 to Liu.

Laio discloses all the elements as discussed above except for the post defined a fixing hole in a distal end thereof, and the pivot means is a screw engaged in the fixing hole of the post.

Liu teaches an alternate structure of a mounting assembly comprising a chassis defining at least one mounting opening 24, a bezel 20 having at least one post 33 corresponding to said mounting opening 24, a pivot means 31 provided at the post, with the post 33 defines a fixing hole 34 in a distal end thereof, and the pivot means is a screw 32 engaged in the fixing hole of the post; wherein the structure of the post and the pivot means provides a secured engaging with the mounting opening of the chassis. Therefore, it would have been obvious to modify the structure of Laio by providing the post with a fixing hole in a distal end thereof, and the pivot means being a screw engaged in the fixing hole of the post in order to provide a secured engaging with the mounting opening of the chassis, as taught by Liu, since both teach alternate conventional mounting assembly structure, used for the same intended purpose, thereby providing structure as claimed.

10. Claims 1-6, 8-14, 16-20 are rejected under 35 U.S.C. 103(a) as being unpatentable over US 2002/0185944 to Chen in view of USP 6,530,628 to Huang et al.

Chen discloses a mounting assembly comprising all the elements recited in the above listed claims including, such as shown in Fig 1, a chassis 10 comprising a front panel having a plurality of fixing slots, and mounting openings 11; a bezel 20 comprising a plurality of hooks 22, a plurality of posts 21, at least one pivot means provided at the posts; the hook is resilient and forms a barb at a distal end thereof. The differences

being that Chen does not disclose each mounting opening having a large zone and a smaller zone communicating with each other, wherein the pivot means is engaged/integrally formed with a distal end of the post, and comprises a head portion and a fixing portion engaged the post.

Huang et al discloses a mounting assembly comprising, such as shown in Figs 2-3, a chassis 2 having a mounting opening 22 comprising a large zone and a smaller zone being elliptical (in the vertical direction), and rectangular (in the horizontal direction); a plate having a post 12 having a pivot means being engaged/integrally formed with a distal end of the post, and comprises a head portion and a fixing portion engaged the post; wherein the pivot means can be extended through the large zone and slid into the smaller zone, thereby pivotably attaching the plate 2 to the chassis; wherein the structure of the mounting opening and the pivot means provides easy attachment of the plate to the chassis, and facilitates pivoting of the plate relative to the chassis. Therefore, it would have been obvious to modify the structure of Chen by providing the mounting opening with a large zone and a smaller zone communicating with each other, with the large and smaller zone being elliptical (in the vertical direction), and rectangular (in the horizontal direction), wherein the pivot means is engaged/integrally formed with a distal end of the post, and comprises a head portion and a fixing portion engaged the post; wherein the pivot means can be extended through the large zone and slid into the smaller zone, thereby pivotably attaching the plate 2 to the chassis; wherein the structure of the mounting opening and the pivot means provides easy attachment of the plate to the chassis, and facilitates pivoting of

the plate relative to the chassis, as taught by Huang et al, since both teach alternate conventional mounting opening and pivot means structure, used for the same intended purpose, thereby providing structure as claimed.

Conclusion

11. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Wang, Chen, Smeenge, Jr. et al, Chen et al, Gan et al, Buican et al, Schmitt, Varghese et al, and Hirata all show structures similar to various elements of applicant's disclosure.

12. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Hanh V. Tran whose telephone number is (571) 272-6868. The examiner can normally be reached on Monday-Thursday, and alternate Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Lanna Mai can be reached on (571) 272-6867. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 3637

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

HVT

December 7, 2005



Hanh V. Tran
Art Unit 3637